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PTO/SB/21 (09-06)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application Number

10/779,529

Filing Date

February 13, 2004

First Named Inventor

Daniel V. PALANKER

Art Unit

3739

Examiner Name

P. Vrettakos

Attorney Docket Number

595992000600

ENCLOSURES (Check all that apply)☒ Fee Transmittal Form + duplicate
copy for fee processing - 2 pages☐ Fee Attached☐ Amendment/Reply☐ After Final☐ Affidavits/declaration(s)☐ Extension of Time Request☐ Express Abandonment Request☒ Information Disclosure Statement
(Supplemental) - 3 pages☐ Certified Copy of Priority
Document(s)☐ Reply to Missing Parts/
Incomplete Application☐ Reply to Missing Parts under
37 CFR 1.52 or 1.53☐ Drawing(s)☐ Licensing-related Papers☐ Petition☐ Petition to Convert to a
Provisional Application☐ Power of Attorney, Revocation
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) _____☐ Landscape Table on CD☐ After Allowance Communication
to TC☐ Appeal Communication to Board of
Appeals and Interferences☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please
identify below):Form PTO/SB/08a/b - 1 page
Return Receipt Postcard

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

MORRISON & FOERSTER LLP (Customer No. 25226)

Signature

Printed name

Lisa A. Amii

Date

May 18, 2007

Reg. No.

48,199

I hereby certify that this paper is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 377983961 US, on the date shown below in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 18, 2007

Signature:

(Rosemarie Puljic-Salmeron)

I hereby certify that this paper is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 377983961 US, on the date shown below in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 18, 2007

Signature:

Rosemarie Puljic-Salmeron
(Rosemarie Puljic-Salmeron)

Patent

Docket No. 595992000600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Patent Application of:
Daniel V. PALANKER et al.

Serial No.: 10/779,529

Filing Date: February 13, 2004

For: ELECTROSURGICAL SYSTEM WITH
UNIFORMLY ENHANCED ELECTRIC
FIELD AND MINIMAL COLLATERAL
DAMAGE

Examiner: P. Vrettakos

Group Art Unit: 3739

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. The Examiner is requested to make these documents of record.

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.

05/21/2007 SSITHIB1 00000032 031952 10779529

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pa-1164266

- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☒ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
- ☐ A fee is required. A check in the amount of ___ is enclosed.
- ☒ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of ___ is enclosed.
- ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

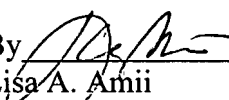
The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including

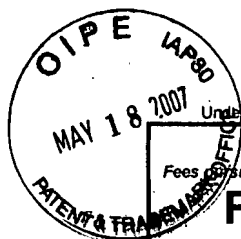
extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 595992000600.

Dated: May 18, 2007

Respectfully submitted,

By 

Lisa A. Amii
Registration No.: 48,199
MORRISON & FOERSTER LLP
755 Page Mill Road
Palo Alto, California 94304-1018
(650) 813-5674



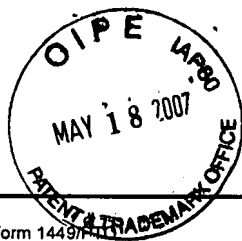
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| | | | |
|--|--|--------------------------|--------------------|
| Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). | | Complete if Known | |
| FEE TRANSMITTAL For FY 2007 | | Application Number | 10/779,529 |
| | | Filing Date | February 13, 2004 |
| | | First Named Inventor | Daniel V. PALANKER |
| | | Examiner Name | P. Vrettakos |
| | | Art Unit | 3739 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | Attorney Docket No. | 595992000600 |
| TOTAL AMOUNT OF PAYMENT | | (\$) | 180.00 |

| | |
|--|---|
| METHOD OF PAYMENT (check all that apply) | |
| <input type="checkbox"/> Check | <input type="checkbox"/> Credit Card |
| <input type="checkbox"/> Money Order | <input type="checkbox"/> None |
| <input type="checkbox"/> Other (please identify): _____ | |
| <input checked="" type="checkbox"/> Deposit Account | Deposit Account Number: <u>03-1952</u> Deposit Account Name: <u>Morrison & Foerster LLP</u> |
| For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) | |
| <input checked="" type="checkbox"/> Charge fee(s) indicated below | <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 | <input checked="" type="checkbox"/> Credit any overpayments |

| | | | | | | | |
|---|---------------------|---|--------------------------------|----------------------|----------------------------------|-----------------------|-----------------------|
| FEE CALCULATION | | | | | | | |
| 1. BASIC FILING, SEARCH, AND EXAMINATION FEES | | | | | | | |
| | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | |
| | | Small Entity | | Small Entity | | Small Entity | |
| Application Type | Fee (\$) | Fee (\$) | Fee (\$) | Fee (\$) | Fee (\$) | Fee (\$) | Fees Paid (\$) |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | 0.00 |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | 0.00 |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | 0.00 |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | 0.00 |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | 0.00 |
| 2. EXCESS CLAIM FEES | | | | | | | |
| | | | | | | Small Entity | |
| Fee Description | | | | | | Fee (\$) | Fee (\$) |
| Each claim over 20 (including Reissues) | | | | | | 50 | 25 |
| Each independent claim over 3 (including Reissues) | | | | | | 200 | 100 |
| Multiple dependent claims | | | | | | 360 | 180 |
| Total Claims | | Extra Claims | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims | | |
| 37 | | 38 - 37 = 0 | 50.00 | 0.00 | | | |
| HP = highest number of total claims paid for, if greater than 20. | | | | | Fee (\$) | Fee Paid (\$) | |
| | | | | | 360.00 | 0.00 | |
| Indep. Claims | | Extra Claims | Fee (\$) | Fee Paid (\$) | | | |
| 4 | | 4 - 4 = 0 | 200.00 | 0.00 | | | |
| HP = highest number of independent claims paid for, if greater than 3. | | | | | | | |
| 3. APPLICATION SIZE FEE | | | | | | | |
| If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). | | | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | | Fee (\$) | Fee Paid (\$) | | |
| | - 100 = | /50 | (round up to a whole number) x | 250.00 | 0.00 | | |
| 4. OTHER FEE(S) | | | | | | | |
| | | | | | | Fees Paid (\$) | |
| Non-English Specification, \$130 fee (no small entity discount) | | | | | | 0.00 | |
| Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement | | | | | | 180.00 | |

| | | | |
|---------------------|--------------|-----------------------------------|----------------|
| SUBMITTED BY | | | |
| Signature | | Registration No. (Attorney/Agent) | 48,199 |
| Name (Print/Type) | Lisa A. Amii | Telephone | (650) 813-5674 |
| | | Date | May 18, 2007 |



ALTERNATIVE TO PTO/SB/08A/B (09/06)

| | | | | | |
|--|---|----|---|--------------------------|--------------------|
| Substitute for form 1449 INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | 10/779,529 |
| | | | | Filing Date | February 13, 2004 |
| | | | | First Named Inventor | Daniel V. PALANKER |
| | | | | Art Unit | 3739 |
| | | | | Examiner Name | P. Vrettakos |
| Sheet | 1 | of | 1 | Attorney Docket Number | 595992000600 |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| | 1. | US-2003/0097129-A1 | 05-22-2003 | Davison et al. | |
| | 2. | US-2004/0267254-A1 | 12-30-2004 | Manzo et al. | |
| | 3. | US-2005/0043728-A1 | 02-24-2005 | Ciarrocca | |
| | 4. | US-2005/0143726-A1 | 06-30-2005 | Bortkiewicz | |
| | 5. | US-2005/0220674-A1 | 10-06-2005 | Shafirstein et al. | |
| | 6. | US-2005/0234446-A1 | 10-20-2005 | Van Wyk et al. | |
| | 7. | US-2006/0069386-A1 | 03-30-2006 | Dubnack et al. | |
| | 8. | US-2006/0259033-A1 | 11-16-2006 | Nesbitt | |
| | 9. | US-3,799,168 | 03-26-1974 | Peters | |
| | 10. | US-4,043,342 | 08-23-1977 | Morrison, Jr. | |
| | 11. | US-4,161,950 | 07-24-1979 | Doss et al. | |
| | 12. | US-4,202,337 | 05-13-1980 | Hren et al. | |
| | 13. | US-4,228,800 | 10-21-1980 | Degler, Jr. et al. | |
| | 14. | US-4,248,231 | 02-03-1981 | Herczog et al. | |
| | 15. | US-4,589,411 | 05-20-1986 | Friedman | |
| | 16. | US-5,080,660-A | 01-14-1992 | Buelna | |
| | 17. | US-5,267,994-A | 12-07-1993 | Gentelia et al. | |
| | 18. | US-5,549,604-A | 08-27-1996 | Sutcu et al. | |
| | 19. | US-6,066,137-A | 05-23-2000 | Greep | |
| | 20. | US-6,132,427-A | 10-17-2000 | Jones et al. | |
| | 21. | US-6,149,646-A | 11-21-2000 | West, Jr. et al. | |
| | 22. | US-6,533,781-B2 | 03-18-2003 | Heim et al. | |
| | 23. | US-6,770,071-B2 | 08-03-2004 | Woloszko et al. | |
| | 24. | US-6,837,887-B2 | 01-04-2005 | Woloszko et al. | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|--------------------------|---|-----------------------------------|--|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
| | | Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) | | | | |
| | | | | | | |

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| NON PATENT LITERATURE DOCUMENTS | | | |
|---------------------------------|--------------------------|---|----------------|
| Examiner Initials | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | | | |

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

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